

**REMARKS**

In the Office Action dated May 20, 2004, the Examiner rejected all pending claims (1, 2, 6, and 7) as anticipated under 35 U.S.C. § 102(b) by U.S. Patent No. 4,182,437 ("Roberts et al."). Applicants respectfully disagree with the Examiner's conclusion and request reconsideration.

Regarding claim 1, Roberts et al. at least does not disclose "a soluble amorphous substance ... having an average fiber diameter in a range of from 2  $\mu$ m to 9  $\mu$ m and an average fiber length in a range of from 100  $\mu$ m to 1,500  $\mu$ m." While Roberts et al. does state that the "diameters and lengths of the fibers are not at all critical and may vary widely," (col. 6, lines 65-67), the wide variation it discloses is an average fiber length "from about 1 centimeter to about 50 centimeters," (col. 7, lines 2-3). The fibers in this range are significantly longer than the claimed range of "100  $\mu$ m to 1,500  $\mu$ m," which is equivalent to a range of 0.01 centimeters to 0.15 centimeters. Further, to equate the range disclosed in Roberts et al. with the claimed range would require one to ignore claim 1's requirement for a "soluble amorphous substance." Applicants believe that the fibers of Roberts et al. are not soluble given that size affects solubility and the disclosed fibers are from 6.7 to 5,000 times longer than those claimed. Therefore, Applicants respectfully submit that claim 1 is not anticipated by Roberts et al. and request withdrawal of this rejection.

Claim 2, which depends from claim 1, is also not anticipated because it incorporates all the limitations of claim 1. Because at least one element of claim 1 is not disclosed in the asserted reference, that element of claim 2 is also not disclosed. Applicants respectfully request withdrawal of this rejection.

Applicants also respectfully submit that Claim 6 is not anticipated by Roberts et al. As noted above, because of the large size of the fibers and particles disclosed in Roberts et al., the reference does not disclose the "soluble amorphous substance" required by claim 6. Thus, Roberts et al. does not anticipate claim 6, and Applicants respectfully request withdrawal of this rejection.

Finally, claim 7 is not anticipated by virtue of its dependence on claim 6, which is not anticipated by the asserted reference.


In view of the foregoing remarks, Applicants submit that the claimed invention is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: July 15, 2004

By:   
\_\_\_\_\_  
Jason E. Stach  
Reg. No. 54,464